



County of San Diego

GARY W. ERBECK
DIRECTOR

DEPARTMENT OF ENVIRONMENTAL HEALTH
P.O. BOX 129261, SAN DIEGO, CA 92112-9261
(619) 338-2222 FAX (619) 338-2088
1-800-253-9933
www.sdcdeh.org

JACK MILLER
ASSISTANT DIRECTOR

FINAL DRAFT

July 31, 2007

Mr. Brad Raulston, Director
Community Development Commission
City of National City
140 E. 12th Avenue
National City, California 91950

Dear Mr. Raulston:

CERTIFICATE OF COMPLETION

CAL-EPA SITE DESIGNATION COMMITTEE RESOLUTION NO. 00-06 AND 00-07
MARINA GATEWAY REDEVELOPMENT PROJECT (FORMALLY THE CLEVELAND AND
ASSOCIATES AND A PORTION OF THE MARINA VILLAGE PROJECT) NATIONAL CITY,
CALIFORNIA, 92150
RESOLUTION NO. 00-07 (COMPLETE) ASSESSOR PARCEL NUMBERS 559-160-03, -09,
-21 AND 559-117-14 AND 15 AND RESOLUTION NO. 00-06 (PARTIAL) ONLY ASSESSOR
PARCEL NUMBER 559-160-11
VOLUNTARY ASSISTANCE PROGRAM, FILE H23772-002 AND LOCAL OVERSIGHT
PROGRAM CASE FILE H23772-003

On December 7, 2000, the Community Development Commission of the City of National City (CDC) requested that the state Site Designation Committee designate the County of San Diego Department of Environmental Health ("County DEH") as the Administering Agency under Chapter 6.65 of Division 20 of the Health and Safety Code (Sections 25260 *et seq.*) ("Chapter 6.65"), to oversee the Site Investigation and Remedial Action for the following Assessor Parcel Numbers: 559-160-03, -09, -21 AND 559-117-14 AND 15 (Resolution No. 00-07) and 559-118-02, 559-160-11, 559-117-04, -05, -06, -07, -12, -16 and -17 (Resolution No. 00-06). This property located in the area generally bounded by Paradise Marsh to the south, Bay Marina Drive (24th Street) to the north, the I-5 Freeway to the east, and Marina Way to the west, City of National City. This request also specified that the cleanup would be conducted pursuant to the Polanco Act, under County supervision. County DEH was designated as the administering agency by the committee (See Resolution Nos. 00-06 and 00-07 attached as Exhibit "A" to this Certificate, dated April 13, 2001), and was also selected by the CDC to provide oversight under the Polanco Act.

This Certificate of Completion covers the parcels addressed in Resolution No. 00-07 and one parcel addressed by Resolution No. 00-06. Thus, for the purpose of this Certificate of Completion, "Site" means Assessor Parcel Numbers 559-160-03, -09, -11, -21 and 559-117-14 and 15.

On March 25 2003 SCS Engineers, on behalf of CDC, submitted the "Property Mitigation Plan For The Cleveland And Associates Property And The Former Cuyamaca Meats, Inc. Property" (PMP). This plan covered the Site and was approved on April 16, 2003, and was based on the Master Workplan which was approved on December 24, 2001. The PMP contains the Post-Closure Monitoring and Maintenance Plan (PCMMP), which is a key element of this Certificate of Completion and was approved in concept in 2003, with the final addendum approved on June 1, 2007. On November 9, 2006, SCS Engineers, on behalf of CDC, submitted the Property Closure Report Marina Gateway Project, Formally Cleveland and Cuyamaca Properties. The SCS Engineers reports covered the Site.

Additional remediation efforts remain ongoing to the north of the Site. The Ace Metal Company and Olson Company properties north of Bay Marina Drive (24th Street), Assessor Parcel Numbers 559-118-02, 559-117-04, -05, -06, -07, -12, -16 and -17 are currently under remediation please see Voluntary Assistance Program (VAP) cases H23772-004 and H23772-005.

VAP case H23772-002 and Local Oversight Program case H23772-003 are closed with the issuance of this Certificate of Completion, and VAP cases H23722-004 and H23772-005 will cover the work associated with Assessor Parcel Numbers 559-118-02, 559-117-04, -05, -06, -07, -12, -16 and -17 (See Resolution No. 00-06).

In accordance with Health & Safety Code Section 25264, as Administering Agency and after appropriate consultation with other agencies, and following a 60-day review period, County DEH has determined that the Site Investigation and Remedial Action at the above-referenced Site has been satisfactorily completed, and that a permanent remedy has been accomplished [25264(b)]. Actions taken are described in the case closure summary attached as Exhibit "B."

As the Administering Agency, County DEH certifies that applicable remedial action standards and objectives were achieved [25263(b)] at the Site, and issues this Certificate of Completion pursuant to Health and Safety Code Sections 25264(b). Except as provided in Health and Safety Code Sections 25264(b) and 25265, this Certificate of Completion constitutes a determination that the Responsible Party, CDC, has complied with the requirements of all state and local laws, ordinances, regulations, and standards that are applicable to the Site Investigation and Remedial Action for which this Certificate is issued [25264(c)].

This Certificate of Completion is subject to conditions specified in Exhibit "C" (attached).

State law limits the actions that agencies other than the County DEH may take against the Responsible Party, CDC, with respect to the hazardous materials release that was the subject of the Site Investigation and Remedial Action for which this Certificate is issued. See Health and Safety Code Section 25264(c) and (d).

This Certificate of Completion is issued effective this **July 31, 2007**, by the County of San Diego Department of Environmental Health, as Administering Agency.

Additionally, pursuant to County DEH authority as the designated agency for purposes of the Polanco Act cleanup program, in accordance with California Health & Safety Code Section 33459.3(c), County DEH finds that the conditions of California Health & Safety Code Section

33459.3(l) have been met. Therefore, County DEH hereby certifies that the remedial action plan for Assessor Parcel Numbers 559-160-03, -09, -11, -21 and 559-117-14 and 15 has been completed, and the immunities provided by California Health & Safety Code Section 33459.3 are in effect. These immunities are limited by the provisions set forth in California Health & Safety Code Section 33459.3(g)-(k).

Please contact George McCandless, at 619-338-2259, if you have questions regarding this matter.

Sincerely,

GARY W. ERBECK, Director
Department of Environmental Health

GWE:kd

Attachments: List of all support agencies
Certificate of Completion Exhibits A, B, and C

cc: Don Johnson, Chair, Site Designation Committee
Laurie Grouard, Site Designation Committee
Richard Oppen, Esq., Oppen & Varco LLP, counsel for the CDC
Patricia Beard, Community Development Commission